

OFFICE FOR CIVIL RIGHTS

(dollars in millions)

	<u>2000 Actual</u>	<u>2001 Enacted</u>	<u>2002 Request</u>	<u>Request +/-Enacted</u>
Program Level.....	\$23	\$28	\$32	+\$4
FTE.....	215	259	276	+17

SUMMARY

The FY 2002 budget request for the Office for Civil Rights (OCR) is \$32 million, an increase of \$4 million over the FY 2001 level. OCR is responsible for enforcing civil rights statutes that prohibit discrimination in Federally-assisted health care and social services programs. These statutes prohibit nondiscrimination on the basis of race, national origin, disability, age, and in limited instances, sex and religion.

Among the most significant issues that OCR addresses are: implementation of the Supreme Court's 1999 decision in the *Olmstead* case concerning the provision of services in the most-integrated setting to persons with disabilities; the effects of discrimination on racial disparities in health care; nondiscriminatory implementation of TANF and welfare-to-work programs; assessment of the effects of managed care on services to minority and disability communities; and removal of discriminatory barriers to access for immigrant populations, including language barriers affecting individuals with limited English proficiency.

In FY 2001, OCR assumed new responsibilities for providing technical assistance related to privacy of health information. OCR also implements inter-ethnic adoption civil rights requirements intended to prevent racial and national origin discrimination in foster care and adoption

placements. In addition, OCR coordinates implementation of the regulation that prohibits discrimination against persons with disabilities in programs and activities conducted by HHS, and government-wide enforcement of the Age Discrimination Act.

OCR enforces nondiscrimination requirements by processing and resolving discrimination complaints, conducting reviews and investigations, monitoring corrective action plans, and carrying out voluntary compliance, outreach, technical assistance and public education activities. Each of OCR's compliance activities ensures that individuals are treated in a nondiscriminatory manner by health and human services provider agencies or facilities. OCR's work protects individual rights and simultaneously supports HHS goals for strengthening the health and well-being of individuals, families and communities by improving access to HHS programs and activities.

OLMSTEAD AND OTHER FY 2002 PRIORITIES

A primary focus of OCR's requested FY 2002 budget increase is expanded technical assistance related to the *Olmstead* decision. OCR will support the President's New Freedom Initiative by providing expert consultant technical assistance to States as

they develop comprehensive plans consistent with the requirements of the Supreme Court's *Olmstead* decision. The decision found that unnecessary institutionalization of individuals is a violation of the Americans with Disabilities Act, and that under appropriate circumstances individuals have a right to receive care in the "most integrated" setting that is appropriate for them. OCR is using a more intense technical assistance approach that supplements its normal complaint investigation procedures to assist States in developing system-wide plans for moving people from costly institutional settings into community-based care.

OCR also will develop further its technical assistance program for helping health care providers, plans and other related entities implement privacy protections related to individuals' health information.

In FY 2002, OCR will continue to focus on new priorities, such as quality access improvements designed to eliminate racial disparities and improve the quality of health care for racial and ethnic minorities. OCR also will focus on improving access to the Medicaid and SCHIP programs by removing possible discriminatory barriers. OCR plans to increasingly involve the faith-based community in its coalition-building activities.